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| FORM PTO-1429<br>(REV. 7-80)  | U.S. DEPARTMENT OF COMMERCE<br>PATENT AND TRADEMARK OFFICE | ATTY. DOCKET NO.<br>B6/B12DIV 3 | SERIAL NO.<br>08/487,280 |
| LIST OF PRIOR ART CITED BY APPLICANT<br>(Use several sheets if necessary) |  | APPLICANT<br>Charles Weissmann  |                          |
|   |  | FILING DATE<br>JUNE 7, 1995     | GROUP<br>1804            |



| EXAMINER<br>INITIAL |    | DOCUMENT NUMBER | DATE     | NAME           | CLASS | SUBCLASS   | FILING DATE<br>IF APPROPRIATE |
|---------------------|----|-----------------|----------|----------------|-------|------------|-------------------------------|
| <i>h</i>            | AA | 3 6 9 9 2 2 2   | 10/17/72 | Isaacs et al.  | 424   | 85.4       | 8/5/68                        |
| <i>h</i>            | AB | 4 1 8 4 9 1 7   | 1/22/80  | Dorner et al.  | 435   | 68.1       | 9/19/77                       |
| <i>h</i>            | AC | 4 1 9 0 4 9 5   | 2/26/80  | Curtiss, III   | 435   | 172.3      | 9/27/76                       |
| <i>h</i>            | AD | 4 2 3 7 2 2 4   | 12/2/80  | Cohen et al.   | 435   | 69.1<br>68 | 1/4/79                        |
|                     | AE | 8 0 1 3 4 3     |          | Rutter et al.  | 424   | --         | 5/27/77                       |
|                     | AF | 8 0 5 0 2 3     |          | Rutter et al.  | 195   | --         | 6/9/77                        |
|                     | AG | 8 4 9 5 9 1     |          | Riggs          | 260   | --         | 11/8/77                       |
|                     | AH | 8 4 9 6 9 1     |          | Itakura        | 535   | --         | 11/8/77                       |
|                     | AI | 8 4 9 6 9 2     |          | Itakura et al. | 260   | --         | 11/8/77                       |
|                     | AJ | 8 9 7 7 0 9     |          | Rutter et al.  | 195   | --         | 4/19/78                       |
|                     | AK | 8 9 7 7 1 0     |          | Goodman et al. | 195   | --         | 4/19/78                       |

FOREIGN PATENT DOCUMENTS

|          |    | DOCUMENT NUMBER | DATE     | COUNTRY                            | CLASS           | SUBCLASS | TRANSLATION<br>YES NO |
|----------|----|-----------------|----------|------------------------------------|-----------------|----------|-----------------------|
| <i>h</i> | AL | 1 4 1 2 5 9 1   | 11/5/75  | Great Britain                      | <del>C07G</del> | 7/00     | X                     |
| <i>h</i> | AM | 1 5 2 1 0 3 2   | 8/9/78   | Great Britain                      | <del>C07G</del> | 7/00     | X                     |
| <i>h</i> | AN | 1 5 6 8 0 4 7   | 5/25/78  | Great Britain <i>Abstract only</i> | <del>C12N</del> | 15/00    | X                     |
| <i>h</i> | AO | 2 0 1 9 4 0 8   | 10/31/79 | Great Britain                      | <del>C07H</del> | 21/00    | X                     |
| <i>h</i> | AP | 2 0 2 7 0 3 3   | 2/13/80  | Great Britain                      | <del>C07H</del> | 21/00    | X                     |

OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

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|----------|----|--|--|---|
| <i>h</i> | AR |  |  | Abstracts, Conference On Regulatory Functions Of Interferons", New York Academy of Sciences (October 23-26, 1979)   |
| <i>h</i> | AS |  |  | "Purification Of Interferon mRNA By Hybridizing Induced Material to cDNA", <u>Research Disclosure</u> , No. 183009, pp. 361-62 (July 1979).                               |
| <i>h</i> | AT |  |  | R. Ambler et al., "Partial Amino Acid Sequence Of Penicillinase Coded By Escherichia Coli Plasmid R6K", <u>Proc. Natl. Acad. Sci. USA</u> , 75, pp. 3732-36 (August 1978) |

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| EXAMINER<br><i>h</i> | DATE CONSIDERED<br>2/13/87 |
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Charles Weissmann

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## U.S. PATENT DOCUMENTS

| EXAMINER<br>INITIAL | DOCUMENT NUMBER | DATE          | CLASS | SUBCLASS | FILING DATE<br>(IF APPROPRIATE) |
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| AA                  | 913533          | Gilbert       |       |          | 6/8/78                          |
| AB                  | 41909           | Rutter et al. | 424   |          | 5/24/78                         |
| AC                  | 107267          | Rutter et al. | 424   |          | 12/26/78                        |
| AD                  |                 |               |       |          |                                 |
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## FOREIGN PATENT DOCUMENTS

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| L | AL 2031434      | 4/23/80 | Great Britain | <del>C12N</del> | 15/00    | X           |    |
| L | AM 2033905      | 5/29/80 | Great Britain | <del>C12N</del> | 15/00    | X           |    |
| L | AN 2034323      | 6/4/80  | Great Britain | <del>C12N</del> | 15/00    | X           |    |
| L | AO 2034717      | 6/11/80 | Great Britain | <del>C12N</del> | 15/00    | X           |    |
| L | AP 2037296      | 7/9/80  | Great Britain | <del>C07G</del> | 7/00     | X           |    |

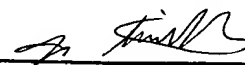
## OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

|   |    |   |
|---|----|---|
| L | AR | P. Beverley et al., "Killing Comes Naturally", <u>Nature</u> , 278, pp. 119-20 (March 8, 1979)  |
| L | AS | *F. Bolivar et al., "Construction And Characterization Of New Cloning Vehicles II. A Multipurpose Cloning System", <u>Gene</u> , 2, pp. 95-113 (1977) |
| L | AT | *P. Bridgen et al., "Human Lymphoblastoid Interferon", <u>J. Biol. Chem.</u> , 252, pp. 6585-87 (1977)  |

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| FORM PTO-1449<br>(REV. 7-80)  |    | U.S. DEPARTMENT OF COMMERCE<br>PATENT AND TRADEMARK OFFICE  |          | ATTY. DOCKET NO.<br>12DIV 3 |                 | Sheet <u>3</u> of <u>1</u><br>SERIAL NO.<br>08/487,280 |                         |
| <b>LIST OF PRIOR ART CITED BY APPLICANT</b><br>(Use several sheets if necessary)  |    |   |          |                             |                 |  |                         |
| U.S. PATENT DOCUMENTS   |    |   |          |                             |                 |  |                         |
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|   | AA |   |          |                             |                 |  |                         |
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| <i>L</i>  | AL | 2 7 2 4 9 1 8   | --       | Germany (DT)                | <del>C07g</del> | <del>07</del>  | X                       |
| <i>L</i>  | AM | 2 9 3 0 6 0 4   | --       | Germany (DT)                | <del>C07h</del> | <del>21/02</del>                                       | X                       |
| <i>L</i>  | AN | 0 0 1 1 5 6 0   | 5/28/80  | European Pat. Appln.        | <del>C12N</del> | <del>15/00</del>                                       | X                       |
| <i>L</i>  | AO | 0 0 2 0 1 4 7   | 12/10/80 | European Pat. Appln.        | <del>C12N</del> | <del>15/00</del>                                       | X                       |
|   | AP |   |          |                             |                 |  |                         |
| OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)  |    |   |          |                             |                 |  |                         |
| <i>L</i>  | AR | *S. Broome et al., "Immunological Screening Method To Detect Specific Translation Products", <u>Proc. Natl. Acad. Sci. USA</u> , 75, pp. 2746-49 (June 1978)  |          |                             |                 |  |                         |
| <i>x</i>  | AS | C. Burrell et al., "Expression In Escherichia coli Of Hepatitis B Virus DNA Sequences Cloned In Plasmid pBR322", <u>Nature</u> , 279, pp. 43-47 (May 3, 1979)   |          |                             |                 |  |                         |
| <i>L</i>  | AT | M. Casadaban et al., "Lactose Genes Fused To Exogenous Promoters In One Step Using A Mu-Lac Bacteriophage: In Vivo Probe For Transcriptional Control Sequences", <u>Proc. Natl. Acad. Sci. USA</u> , 76, pp. 4530-33 (September 1979) |          |                             |                 |  |                         |
| EXAMINER  |    |   |          | DATE CONSIDERED             |                 |  |                         |
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## OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

|    |   |
|----|---|
| AR | *R. Cavalieri et al., "Synthesis Of Human Interferon By Xenopus Laevis Oocytes: Two Structural Genes For Interferons In Human Cells", <u>Proc. Natl. Acad. Sci. USA</u> , 74, pp. 3287-91 (August 1977) |
| AS | A.C.Y. Chang et al., "Phenotypic Expression In <u>E. coli</u> Of A DNA Sequence Coding For Mouse Dihydrofolate Reductase", <u>Nature</u> , 275, pp. 617-24 (October 19, 1978)                           |
| AT | *P. Farrell et al., "Interferon Action: Two Distinct Pathways For Inhibition Of Protein Synthesis By Double-Stranded RNA", <u>Proc. Natl. Acad. Sci. USA</u> , 75, pp. 5893-97 (December 1978)          |

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| U.S. PATENT DOCUMENTS  |                 |   |         |                                 |                               |                          |    |
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| OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)   |                 |   |         |                                 |                               |                          |    |
| /  | AR              | T.H. Fraser et al., "Chicken Ovalbumin Is Synthesized And Secreted By <i>Escherichia coli</i> ", <u>Proc. Natl. Acad. Sci. USA</u> , 75, pp. 5936-40 (December 1978)        |         |                                 |                               |                          |    |
| /  | AS              | A. Fritsch et al., "Clonage Du Génome Du Virus De L'hépatite B Dans <i>Escherichia coli</i> ", <u>C. R. Acad. Sc. Paris</u> , 287, Série D, pp. 1453-56 (December 18, 1978) |         |                                 |                               |                          |    |
| /  | AT              | *J. Fujisawa et al., "Nonglycosylated Mouse L Cell Interferon Produced By The Action Of Tunicamycin", <u>J. Biol. Chem.</u> , 253, pp. 8677-79 (1978)                       |         |                                 |                               |                          |    |
| EXAMINER   |                 |   |         | DATE CONSIDERED                 |                               |                          |    |
| / [Signature]  |                 |   |         | 2/13/97                         |                               |                          |    |
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|   | AR | D. Goeddel et al., "Direct Expression In Escherichia Coli Of A DNA Sequence Coding For Human Growth Hormone", <u>Nature</u> , 281, pp, 544-48 (October 18, 1979)                         |      |                                       |       |   |                  |
|   | AS | D. Goeddel et al., "Expression In Escherichia coli Of Chemically Synthesized Genes For Human Insulin", <u>Proc. Natl. Acad. Sci. USA</u> , 76, pp. 106-10 (January 1979)                 |      |                                       |       |   |                  |
|   | AT | *M. Grunstein et al., "Colony Hybridization: A Method For The Isolation Of Cloned DNAs That Contain A Specific Gene", <u>Proc. Natl. Acad. Sci. USA</u> , 72, pp. 3961-65 (October 1975) |      |                                       |       |   |                  |
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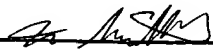
## OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

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|----|---|
| AR | *E. Havell et al., "Altered Molecular Species Of Human Interferon Produced In The Presence Of Inhibitors Of Glycosylation", <u>J. Biol. Chem.</u> , 252, pp. 4425-27 (1977) |
| AS | R. Herberman et al., "Augmentation By Interferon Of Human Natural And Antibody-Dependent Cell-Mediated Cytotoxicity", <u>Nature</u> , 277, pp. 221-23 (January 18, 1979)    |
| AT | K. Itakura et al., "Expression In Escherichia Coli Of A Chemically Synthesized Gene For The Hormone Somatostatin", <u>Science</u> , 198, pp. 1056-63 (December 9, 1977)     |

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| LIST OF PRIOR ART CITED BY APPLICANT<br>(Use several sheets if necessary)   |  | SERIAL NO.<br>08/487,280  |                 |       |          |                  |
| U.S. PATENT DOCUMENTS   |  | APPLICANT<br>Charles Weissmann  |                 |       |          |                  |
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| OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)  |  |   |                 |       |          |                  |
| K   | AR   | *I. Kerr et al., "pppA2'p5'A2'p5'A: An Inhibitor Of Protein Synthesis Synthesized With An Enzyme Fraction From Interferon-Treated Cells", <u>Proc. Natl. Acad. Sci. USA</u> , 75, pp. 256-60 (January 1978) |                 |       |          |                  |
| d   | AS   | *E. Knight, Jr., "Interferon: Puriciation And Initial Characterization From Human Diploid Cells", <u>Proc. Natl. Acad. Sci. USA</u> , 73, pp. 520-23 (February 1976)  |                 |       |          |                  |
| K   | AT   | J. Lewis et al., "Dual Action Of Double-Stranded RNA In Inhibiting Protein Synthesis In Extracts Of Interferon-Treated Mouse L Cells", <u>Eur. J. Biochem.</u> , 86, pp. 497-506 (1978)                     |                 |       |          |                  |
| EXAMINER  |  |   | DATE CONSIDERED |       |          |                  |
|    |  |   | 2/13/97         |       |          |                  |
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Charles Weissmann

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1804

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| EXAMINER<br>INITIAL | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING<br>IF APPROPRIATE |
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## FOREIGN PATENT DOCUMENTS

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|---|----|---|
| K | AR | J. Martial et al., "Human Growth Hormone: Complementary DNA Cloning And Expression In Bacteria", <u>Science</u> , 205, pp. 602-06 (August 10, 1979)                                 |
| K | AS | *A. Maxam et al., "A New Method For Sequencing DNA", <u>Proc. Natl. Acad. Sci. USA</u> , 74, pp. 560-64 (February 1977)   |
| K | AT | O. Mercereau-Puijalon et al., "Synthesis Of An Ovalbumin-Like Protein By Escherichia coli K12 Harbouring A Recombinant Plasmid", <u>Nature</u> , 275, pp. 505-10 (October 12, 1978) |

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| OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)  |                 |   |       |                                       |                  |  |  |
| K   | AR              | *S. Nagata et al., "Synthesis In E. coli Of A Polypeptide With Human Leukocyte Interferon Activity", <u>Nature</u> , 284, pp. 316-20 (March 27, 1980) |       |                                       |                  |  |  |
| K   | AS              | A. Rosenfeld, "Interferon: The Next Wonder Therapy?", <u>The Reader's Digest</u> , pp. 130-33 (November 1979)   |       |                                       |                  |  |  |
| K   | AT              | *M. Rubinstein et al., "Human Leukocyte Interferon Purified To Homogeneity", <u>Science</u> , 202, pp. 1289-90 (December 22, 1978)                    |       |                                       |                  |  |  |
| EXAMINER  |                 |   |       | DATE CONSIDERED                       |                  |  |  |
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| L | AR | *M. Rubinstein et al., "Human Leukocyte Interferon: Production Purification To Homogeneity, And Initial Characterization Proc. Natl. Acad. Sci. USA, 76, pp. 640-44 (February 1979)" |
| L | AS | P.H. Seeburg et al., "Synthesis Of Growth Hormone By Bacteria Nature, 276, pp. 795-98 (December 21/28, 1978)"  |
| L | AT | J. Shine et al., "Construction And Analysis Of Recombinant DNA For Human Chorionic Somatomammotropin", Nature, 270, pp. 494-99 (December 8, 1977)"                                   |

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| OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)   |                 |  |       |                                 |                 |  |  |
| L  | AR              | *J. Sutcliffe, "Nucleotide Sequence Of The Ampicillin Resistant Gene Of Escherichia Coli Plasmid pBR322", <u>Proc. Natl. Aca Sci. USA</u> , 75, pp. 3737-41 (August 1978)                          |       |                                 |                 |  |  |
| L  | AS              | *T. Taniguchi et al., "Construction And Identification Of A Bacterial Plasmid Containing The Human Fibroblast Interferon Gene Sequence", <u>Proc. Japan. Acad.</u> , 55, Ser. B, pp. 464-69 (1979) |       |                                 |                 |  |  |
| L  | AT              | J. Treuner et al., "Successful Treatment Of Nasopharyngeal Carcinoma With Interferon", preprint  |       |                                 |                 |  |  |
| EXAMINER<br><br><i>[Signature]</i>   |                 |  |       | DATE CONSIDERED<br><br>2/13/87  |                 |  |  |
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SERIAL NO.

08/487,280

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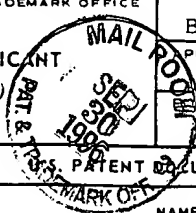
Charles Weissmann

FILING DATE

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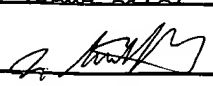
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|---|----|---|
| ✓ | AR | *L. Villa-Komaroff et al., "A Bacterial Clone Synthesizing Proinsulin", <u>Proc. Natl. Acad. Sci. USA</u> , 75, pp. 3727-31 (August 1978)                               |
| ✓ | AS | R. Wagner, "Biological Studies Of Interferon I. Suppression Of Cellular Infection With Eastern Equine Encephalomyelitis Virus", <u>Virology</u> , 13, pp. 323-37 (1961) |
| ✓ | AT | *K. Zoon, "Amino Terminal Sequence Of The Major Component Of Human Lymphoblastoid Interferon", <u>Science</u> , 207, pp. 527-28 (February 1, 1980)                      |

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| APPLICANT<br><b>Charles Weissmann</b>   |                  |  |                    |                                |          | GROUP<br>1804   |  |
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| EXAMINER<br>INITIAL   | DOCUMENT NUMBER  | DATE   | NAME               | CLASS                          | SUBCLASS | FILING<br>IF APPROX                                     |  |
| L   | AA 4 2 4 1 1 7 4 | 12/23/80   | Familletti et al.  | 435                            | 5        | 11/24   |  |
| L   | AB 4 2 6 20 9 0  | 4/14/81  | Colby, Jr., et al. | 435                            | 91.33    | 6/4/7   |  |
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| L   | AL 0 0 0 1 9 2 9 | 11/6/78  | Europe             | <del>C12K</del>                | 1/02     | X   |  |
| L   | AM 0 0 18 2 1 8  | 4/19/79  | Europe             | <del>C07C</del>                | 7/00     | X   |  |
| L   | AN 28 0 3 3      | 10/30/80   | Europe             | <del>C12N</del>                | 15/00    | X   |  |
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| OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)  |                  |  |                    |                                |          |   |  |
| L   | AR               | Report "International Workshop On Interferon In The Treatment Of Cancer", (March-April 1975)   |                    |                                |          |   |  |
| L   | AS               | Berg et al., Conference On Regulatory Functions Of Interferons Abstract No. I9 (1979)  |                    |                                |          |   |  |
| L   | AT               | R. J. Britten and E. H. Davidson, "Repetitive And Non-Repetitive DNA Sequences And A Speculation On The Origins Of Evolutionary Novelty", The Quarterly Review of Biology, 46, pp. 111-133 (June 1971) |                    |                                |          |   |  |
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| <b>OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)</b>   |                 |  |         |                                       |          |  |  |
| ✓   | AR              | D. Goeddel et al., "The Structure Of Eight Distinct Cloned Human Leukocyte Interferon cDNAs", <u>Nature</u> , 290 pp. 20-26 (1981) ("Goeddel III") |         |                                       |          |  |  |
| ✓   | AS              | D. E. Kennell, "Principles and Practices of Nucleic Acid Hybridization", <u>Progr. Nucl. Acid Res. Mol. Biol.</u> , 11, pp. 259-301 (1971)         |         |                                       |          |  |  |
| ✓   | AT              | N. Mantei et al., "The Nucleotide Sequence Of A Cloned Human Leukocyte Interferon cDNA", <u>Gene</u> , 10, pp. 1-10 (May 1980)                     |         |                                       |          |  |  |
| <b>EXAMINER</b><br>  |                 |  |         | <b>DATE CONSIDERED</b><br>2/12/87     |          |  |  |
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OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

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|---|----|---|
| ✓ | AR | S. Nagata et al., "The Structure Of One Of The Eight Or More Distinct Chromosomal Genes For Human Interferon-α", <u>Nature</u> , 281 pp. 401-08 (October 1980) ("Nagata II")  |
| ✗ | AS | F. Rougeon et al., "Insertion Of A Rabbit β-globin Gene Sequence In An E.coli Plasmid", <u>Nucl. Acids Res.</u> , 2, pp. 2365-78 (December 1975)  |
| ✗ | AT | W. E. Stewart et al., Comparisons Of Several Biological And Physiochemical Properties Of Human Leukocyte Interferons Produced By Human Leukocyte And E.coli", <u>Gene</u> , 11, pp. 181-86 (1980) [Chemical Abstracts, 94: 63542q, p. 550 (March 1981)] |

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APPLICANT

Charles Weissmann

FILING DATE

JUNE 7, 1995

GROUP

1804

## U.S. PATENT DOCUMENTS

| EXAMINER<br>INITIAL |    | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILED<br>IF APPR |
|---------------------|----|-----------------|------|------|-------|----------|------------------|
|                     | AA |                 |      |      |       |          |                  |
|                     | AB |                 |      |      |       |          |                  |
|                     | AC |                 |      |      |       |          |                  |
|                     | AD |                 |      |      |       |          |                  |
|                     | AE |                 |      |      |       |          |                  |
|                     | AF |                 |      |      |       |          |                  |
|                     | AG |                 |      |      |       |          |                  |
|                     | AH |                 |      |      |       |          |                  |
|                     | AI |                 |      |      |       |          |                  |
|                     | AJ |                 |      |      |       |          |                  |
|                     | AK |                 |      |      |       |          |                  |

## FOREIGN PATENT DOCUMENTS

|  |    | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLAT<br>YES |
|--|----|-----------------|------|---------|-------|----------|-----------------|
|  | AL |                 |      |         |       |          |                 |
|  | AM |                 |      |         |       |          |                 |
|  | AN |                 |      |         |       |          |                 |
|  | AO |                 |      |         |       |          |                 |
|  | AP |                 |      |         |       |          |                 |

## OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

|   |    |  |
|---|----|--|
| ✓ | AR | M. Streuli et al., "At Least Three Human Type $\alpha$ -Interferons: Structure Of $\alpha 2$ ", <u>Science</u> , 209, pp. 1343-47 (1980) [Chemical Abstracts, 93: 236612x, p. 624 (December 1980)] |
| ✓ | AS | T. Taniguchi et al., "Human Leukocyte And Fibroblast Interferon Are Structurally Related", <u>Nature</u> , 285, pp. 547-49 (June 1980) ("Taniguchi II")  |
| ✓ | AT | C. Weissmann, "The Cloning Of Interferon And Other Mistakes", <u>Interferon</u> (London), 3, pp. 101-134 (1981).   |

EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if in conformance and not considered. Include copy of this form with next communication to applicant.